

REMARKS

No claims have been amended. No claims have been canceled. No new claims have been added. Claims 1-20 are pending.

Claims 1, 9-11, 14-15, and 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gelditsch (U.S. Patent No. 6,415,194). Claims 18-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch. Claims 2 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Kaneko (U.S. Patent No. 4,958,292). Claims 3-6 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Radican (U.S. Patent No. 6,148,291). Claims 7-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Kennedy (U.S. Patent No. 6,055,519). Claims 12-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelditsch and Landvater (U.S. Patent No. 6,609,101). These rejections are respectfully traversed.

Claim 1 recites, *inter alia*, "receiving, by a computer system, at least one projected requirement for the product from a customer, said projected requirement comprising a projected quantity and a projected date on which said projected quantity will be required by said customer" and "receiving, at the computer system, at least one standard order for the product from said customer, said standard order including a quantity required immediately by said customer"

Claim 14 recites, *inter alia*, "a receiver module for receiving at least one projected requirement for the product from a customer and receiving at least one standard order for the product from said customer, said projected requirement including a projected quantity and a projected date on which said projected quantity will be required by said customer and said standard order including a quantity required immediately by said customer."

Claim 20 recites, *inter alia*, “a receiver module for receiving at least one projected requirement for the product from a customer and receiving at least one standard order for the product from said customer, said projected requirement including a projected quantity and a projected date on which said projected quantity of the product will be required by said customer and said standard order including a quantity required immediately by said customer.”

Gelditsch discloses a system for ensuring that sufficient availability of manufacturing resources. The system disclosed by Gelditsch tracks scheduled various manufacturing resources, such as, finished goods orders, existing finished goods inventory, past due finish good orders, unallocated customer orders, marketing orders, and manufacturing lead times for a product. When a customer order including a quantity requirement and a date requirement is received, manufacturing resources are allocated to meet the order. The mix of manufacturing resources allocated to the order is based upon the relationship between the date requirement and the manufacturing lead time for the product.

Gelditsch fails to teach or suggest a method, system, or module which receives at least one projected requirement from a customer. The Office Action alleges that this is taught by Gelditsch at Abstract, column 5, lines 29-31, column 5, lines 56-60, and column 12, line 9-32 (Office Action at page 5) and further states “Gleditsch discloses a ... method of scheduling demand for a manufacturing resource in response to a customer order for a product ... Such a customer order for a product, wherein the order amount and request date is entered is considered the receiving at least one projected requirement from a customer for a product” (Office Action at page 4). It is respectfully asserted that the Office Action is in error.

First, notwithstanding the assertions made in the Office Action, none of the above cited portions of Gelditsch discloses receiving any type of projected requirement from a customer. More specifically, the Abstract states:

A system and method of scheduling demand for a manufacturing resource in response to a customer order for a product is provided. The system and method includes means for tracking scheduled finished goods orders, existing finished goods inventory, past due finished goods orders, unallocated customer orders and marketing orders, and the manufacturing lead time for the product, among other manufacturing process parameters. The customer order amount and the date requested for the order are entered, and depending on whether the date requested is inside, equal to or outside the manufacturing lead time, manufacturing resources are consumed from one or more of the scheduled finished goods orders, existing finished goods inventory, available to promise amounts, past due finished goods orders, unallocated customer orders, marketing orders, and high flex amounts.

Column 5, lines 29-31, is a portion of a paragraph which states in its entirety:

The improved system and method of the invention also provides for intermediate reporting of the status of customer and finished goods replenishment orders at various points during the production pipeline. If a problem occurs, it is immediately recognized and reported so that the system can take an action to attempt to resolve the problem, such as by consuming demand for resources from other stores, e.g., from non-committed customer orders or marketing orders, available-to-promise amounts, finished goods inventory or finished goods replenishment orders.

Column 5, lines 56-60 is a paragraph which states:

Another object of the invention is to provide a system and method which may generate order acknowledgement

projections based on whether sufficient manufacturing resources may be allocated in time to produce a customer order by a customer requested build completion date.

Column 12, line 9-32 states:

The method begins at the start 300 when a new customer order for a product is received. The amount of a given product ordered is input at block 302 and establishes a demand for the various manufacturing resources. The product ordered in this case may be a finished goods product ordered by the customer, or it might be a subassembly which must be manufactured to be a part of a finished goods product ordered by the customer. The amount of product input at block 302 may be directly input by the user at a workstation 304, or it may be received from an order acknowledgement system 306 in the enterprise which determines the amount of several different products associated with a given customer order.

The method then retrieves the order policy for this product at a step of inputting the order policy 332. The order policy is set for each product by the user of the system and may be stored in the system database 320. Alternatively, the user can select an order policy and input it directly at workstation 304. The method then decides whether the product uses the forecast consumption policy at a decision 308. If the product does not use the forecast consumption policy, the method decides whether the product uses the forecast policy at a decision 310.

Each of the above quoted portion of the patent discusses processing actual customer orders, which are not “projected requirements.” Orders are in fact, actual (i.e., not projected) requirements, and the system disclosed by Gelditsch only accepts actual requirements in the form of orders. Gelditsch’s system does not accept any type of projection from its customers. Accordingly, Gelditsch fails to disclose or suggest “receiving, by a computer system, at least one projected requirement for the product

from a customer, said projected requirement comprising a projected quantity and a projected date on which said projected quantity will be required by said customer" (as recited by claim 1), "a receiver module for receiving at least one projected requirement for the product from a customer" (as recited by claim 14), or "a receiver module for receiving at least one projected requirement for the product from a customer" (as recited by claim 20).

Gelditsch further fails to teach or suggest a method, system, or module which receives standard orders which include a quantity of goods immediately required by the customer. The Office Action alleges that Gelditsch discloses this feature of the invention at column 10, lines 48-54, column 12, lines 32-34, and column 17, lines 16-18. It is respectfully asserted that the Office Action is in error. Column 10, lines 48-54 is the introduction to a portion of Gelditsch which discusses its "actual order policy," and states that this policy is normally used for "low-volume products with sporadic demand." Column 12, lines 32-34 states that the actual order policy may be used when the forecast policy is not used ("If the product does not use the forecast policy, the method decides whether the product uses the actual order policy at a decision 312.") Finally, column 17, lines 16-18, is directed to a portion of the specification discussing "unanticipated customer orders."

The portions of the Gelditsch cited by the Office Action relate to either the use of the "actual order policy," or methods for handling "unanticipated customer orders." By contrast, the above quoted portions of the independent claims recite "standard orders" which include quantities of goods "immediately required" by the customer. The ability to process such orders is not disclosed or suggested by Gelditsch. Accordingly, Gelditsch further fails to disclose or suggest "receiving, at the computer system, at least one standard order for the product from said customer, said standard order including a quantity required immediately by said customer" (as recited in claim

1), "receiving at least one standard order for the product from said customer ... said standard order including a quantity required immediately by said customer" (as recited in claim 14), or "receiving at least one standard order for the product from said customer ... said standard order including a quantity required immediately by said customer" (as recited in claim 30).

The Office Action additionally cites to Kaneko, Radican, and Landvater for various limitations further recited in the depending claims. However, the prior art of record, whether taken individually or in combination, fails to disclose or suggest the above quoted limitations of the independent claims.

Accordingly, claims 1, 14, and 20 are believed to be allowable over the prior art of record. The depending claims, i.e., claims 2-13 and 15-19 are believed to be allowable for at least the same reason as the independent claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: February 22, 2005

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Christopher S. Chow

Registration No.: 46,493

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant